

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF OKLAHOMA**

INTREPID U.S.A. INC.,	)	
INTREPID COMPANIES, INC.,	)	
INTREPID OF OKLAHOMA, INC.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	No. CIV-05-224-S
	)	
PATRICIA MARSH, SHERRY	)	
BOATMAN, RN, CONNIE	)	
ANDERSON, RN, WILMA	)	
ANDERSON, RN, and IDEAL	)	
HOME CARE, L.L.C.,	)	
	)	
Defendants.	)	

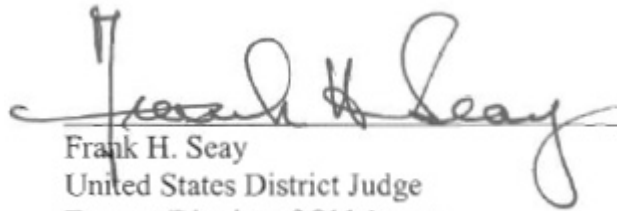
**OPINION AND ORDER**

On January 31, 2006, the Court held a hearing on Plaintiffs' Emergency Motion To Suspend Scheduling Deadlines And To Strike Pretrial Dates Or, In The Alternative, For An Order Of Dismissal Without Prejudice. At the hearing, the Court conditionally granted Plaintiffs' alternative request for dismissal without prejudice under Rule 41(a)(2). The Court stated that it would grant Plaintiffs' request for a dismissal without prejudice provided Plaintiffs filed a notice of their acceptance of the following conditions of dismissal: (1) Plaintiffs' dismissal of all remaining claims in the United States Bankruptcy Court for the Eastern District of Oklahoma; (2) any refiling of this action against the named defendants will be filed in the United States District Court for the Eastern District of Oklahoma with the case being assigned to Judge Frank H. Seay; (3) any discovery previously conducted in this case will be maintained and used in any subsequently filed action; and (4) upon refiling of the case the

Court may consider the issue of whether costs and attorneys fees should be imposed on Plaintiffs as a condition of the continuation of the case.

Plaintiffs have filed their Notice Of Plaintiffs' Acceptance Of The Court's Order of January 31, 2006, whereby they have agreed to each and every one of the conditions of dismissal set forth by the Court at the January 31, 2006, hearing. Consequently, Plaintiffs' Motion For An Order Of Dismissal Without Prejudice is granted subject to the conditions as set forth by the Court at the January 31, 2006, hearing.

Dated this 23<sup>rd</sup> day of February, 2006.



Frank H. Seay  
United States District Judge  
Eastern District of Oklahoma